



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

JUN 23 2004

Mr. H. Pierce Scott  
Wallace & Scott, I.L.P.  
Attorneys at Law  
3547 N. Crossing Circle  
Valdosta, Georgia 31604-2157

Ref. No. 04-0122

Dear Mr. Scott:

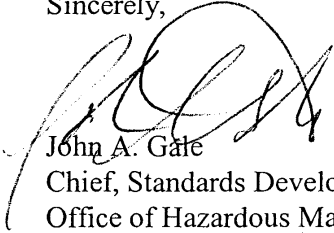
This responds to your letter dated April 29, 2007, regarding classification of your client's product "CloWhite" bleach containing 5.25% hypochlorite solution, under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

Your client, Dollar General Corporation, is involved in the shipment of household bleach manufactured by CloWhite Company ("CloWhite") in the year 2000. CloWhite went out of business in 2001, and was purchased at that time by KIK International, Inc. ("KIK"). Based on the documentation you enclosed, you asked for confirmation of your understanding that CloWhite bleach containing 5.25% sodium hypochlorite solution manufactured during 2000 is not "corrosive", as defined under the HMR.

Based on the information you provided, it is this Office's opinion that the "CloWhite" bleach manufactured in 2000 and containing 5.25% hypochlorite does not meet the definition or criteria in §§ 173.136 and 173.137 for a corrosive material. Thus, your client's product containing 5.25% sodium hypochlorite solution would not be subject to the HMR for purposes of transportation in commerce.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,



John A. Gale  
Chief, Standards Development  
Office of Hazardous Materials Standards



040122

172-101 (h)

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Engrum  
§172.101(h)  
Applicability  
04-0122

April 29, 2004

Mr. Edward T. Mazzullo  
Director, Office of Hazardous Materials Standards  
US Department of Transportation  
Room 8430  
DHM-10  
400 7<sup>th</sup> Street, S.W.  
Washington, D.C. 20590-0001  
Attention: Ms. Helen Engram

RE: Hazmat Regulation of CloWhite bleach with 5.25% hypochlorite solution  
Our File No. 202L113

Dear Mr. Mazzullo:

**ENCLOSURES:**

1. Copy of corrosivity test results from Product Safety Labs for 5.25% bleach product and 6.8% bleach product
2. Copy of letter from Delta Analytical Corporation (on behalf of KIK) to DOT
3. Copy of letter from DOT to Delta Analytical Corporation
4. Copy of Confidential Statement of Formula for 5.25% CloWhite bleach
5. Copy of Confidential Statements of Formula (2) for KIK International, Inc. bleach

I have spoken recently with Ms. Helen Engram of your office about the above-referenced matter, so I have sent this letter to her attention. I have also spoken with Mr. George Kushmac.

I represent Dollar General Corporation in connection with a matter involving its transportation of household bleach manufactured by the CloWhite Company ("CloWhite") in the year 2000. CloWhite went out of business in 2001, and was purchased at that time by KIK International, Inc. ("KIK"). Based upon the enclosed documentation, we seek a letter from your office confirming our position that CloWhite bleach containing 5.25% sodium hypochlorite manufactured during 2000 was not "corrosive" as defined by DOT regulations.

In 1999, KIK tested a bleach product containing 5.25% sodium hypochlorite and a bleach product containing 6.8% sodium hypochlorite in order to establish that these products were not "corrosive" for purposes of DOT regulations. A copy of the test results for both bleach products is enclosed. A letter dated 02/22/00 (copy enclosed) was sent on behalf of KIK to your office enclosing the test results and requesting a determination that the KIK bleach products were not corrosive and thus not subject to the requirements of the Hazardous Materials Regulations.

Based upon the information provided by KIK, your office issued a letter dated 04/19/00 (copy enclosed) confirming its conclusion that both the 5.25% solution and the 6.8% solution were not subject to Hazardous Material Regulations.

I have enclosed the Confidential Statement of Formula filed with the EPA for the 5.25% CloWhite bleach in question which states the ingredients of that bleach product. I have also enclosed the Confidential Statement of Formula (EPA Registration No. 70271-13) for the bleach product (referred to as "Pure Bright Disinfectant") manufactured by KIK containing 6.0% sodium hypochlorite. This CSF refers to another CSF (EPA Registration No. 70271-12) for a KIK 12.5% sodium hypochlorite solution from which the 6.0% product was made by diluting it with water. We have confirmed with KIK representatives that the 6.8% sodium hypochlorite solution referred to above which was tested for "corrosivity" in 1999 is the same product described in the two aforesaid CFS's. The 12.5% hypochlorite solution was simply diluted with water to create the 6.0% solution. Note that the range of sodium hypochlorite for this solution as stated on the CSF is 6.0%-7.5%. Therefore, for testing purposes, KIK submitted a 6.8% solution, which falls between this range.

As you can see from the enclosed CSF's, the ingredients of the CloWhite 5.25% bleach and the KIK 6.8% bleach are essentially identical except for the greater percentage of sodium hypochlorite in the KIK product. Therefore, we respectfully request a letter from your office, similar to the one already provided by us to KIK, that, assuming the information provided to you in this letter is correct, the CloWhite 5.25% bleach described in the enclosed CSF would not be classed as corrosive material and thus would not be subject to the requirements of the Hazardous Material Regulations for purposes of transportation in commerce.

Thank you very much for your attention to this matter. If you or your office needs any additional information, please contact me by telephone as soon as possible. Thanks again for your cooperation.

Sincerely,



H. Pearce Scott

Attorney for Dollar General

HPS/lbd